

Are all private residences affected by this rule?

No. If you live in a home built after January 1, 1978, you are exempt from the rule. If you live in a home built prior to January 1, 1978, which is considered housing for the disabled or elderly and there is not a child six (6) years of age or younger living there you are also exempt from this rule.

Generally public, commercial, industrial facilities and farms are not subject to the rule unless they are occupied or visited by a child six (6) years of age or younger for six (6) or more hours per week. A public or commercial building built prior to January 1, 1978 with a day care located within would be subject to the rule.

What are the responsibilities of professional painters or remodeling contractors?

If, during the course of your work you are going to disturb more than two (2) square feet of painted surface, then you are required to provide a handout entitled, "Protect Your Family From Lead in Your Home" to your customers.

This pamphlet can be obtained by calling the U.S. Environmental Protection Agency at 1 (800) 424-5323 or the Indiana Department of Environmental Management at 1 (888) 574-8150. Other regulations may apply if you are performing work in HUD housing.

How can I find out if my home has lead-based paint?

A lead inspection of your house must be performed by an individual who is licensed by the Indiana Department of Environmental Management as a Lead

Inspector or Risk Assessor. A listing of Indiana Licensed Inspectors and Risk Assessors can be obtained by calling 1 (888) 574-8150.

If my house was built before 1978, can I still remodel or paint even if I know there is lead paint in the house?

Yes, you can remodel and paint. However, if you choose to remove the lead-based paint, you must use a licensed abatement person if you have a child six (6) years of age or younger living in the building that has been identified as having an elevated blood lead level. Removal of the lead-based paint may permanently eliminate the lead hazard in your home.



Precautions should always be taken when you remove lead hazards such as lead-based paint dust and chips when remodeling.

Homeowners wishing to remove lead-based paint should **always follow these precautions:**

- 1. Never burn, torch or use heat guns at high temperatures;**
- 2. High pressure water wash is not recommended due to the widespread contamination;**
- 3. Do not use abrasive blasting or sandblasting due to dust contamination;**
- 4. Never dry sand, scrape or vacuum without the use of HEPA filtration;**
- 5. The use of chemical paint removers that contain methylene chloride are also not recommended since the exposure to the chemical itself may be hazardous.**

IDEM recommends the use of wet methods for removing small areas of peeling paint to avoid lead dust as well as using a tarp to catch the debris. IDEM recommends larger areas of lead paint removal should be conducted by a licensed contractor.

Lead-based paint waste removed from a household by the homeowner or a contractor is considered a solid waste and not a hazardous waste and may be disposed of with your normal trash as a municipal solid waste. It is recommended that paint chips and other lead-based paint wastes be double bagged and stored in a secure area prior to disposal.

Remember, if you hire some one to remove the lead-based paint, they may need to be a licensed lead abatement contractor. For more information, check with IDEM or call the national lead-paint information number at 1(800) 424-5323.

If I am renting a home and have a child, is my landlord required to remove all the lead-based paint?

No, the landlord is not required to remove the lead-based paint. It is not mandatory to remove lead paint; however, if the lead-based paint is peeling, chipping, chalking, or cracking it should be brought to your landlord's attention.

According to the U.S. EPA and HUD Real Estate Notification and Disclosure Rule landlords must disclose known lead-based paint hazards and provide available reports to renters. Landlords must give renters the pamphlet titled "Protect Your Family From Lead in Your Home." You can request copies of this pamphlet by calling 1 (800) 424-5323.

I am selling my house that was built prior to 1978. What am I required to do?

Property owners who sell homes built prior to 1978 must disclose all known lead-based paint and lead-based paint hazards in the housing. Sellers must give buyers the US EPA pamphlet titled "Protect Your Family From Lead in Your Home". Sellers must retain signed acknowledgments for three (3) years, as proof of compliance and sellers must allow buyers a

10-day opportunity to test the house for lead.

It is not mandatory to remove lead-based paint, but you do have to disclose the results of your inspection if you plan on selling, renting or leasing your house.

What can I do to protect my children from lead poisoning?

Children are normally exposed to lead by ingestion of paint chips or inhaling lead dust. If painted surfaces are peeling, cracking, chipping or chalking the homeowner may reduce risks by painting, wallpapering, or paneling affected surfaces. To reduce dust emissions, good housekeeping including wet mopping or sponging with warm water and an all purpose cleaner should reduce dust emissions.



Some simple things you can do to reduce the risk of lead contamination include:

- 1. Use a door mat and wipe your shoes before entering your house to avoid tracking in lead.**
- 2. Encourage your kids to wash their hands after playing outside.**
- 3. Plant grass seed or mulch bare soil areas.**
- 4. Encourage children to play on grassy areas.**
- 5. Remove any surface soil if it is contaminated with paint chips.**

Lead poisoning is often detected through blood screening. For further information about lead screening, call the Indiana Family Help Line operated by the Indiana State Department of Health at 1 (800) 433-0746.



Why is lead-based paint a concern?

Approximately three-quarters of the nation's houses built before 1978 contain some lead-based paint. Lead-based paint was banned for use in housing in 1978. When properly maintained and managed, this paint poses little risk. However, 1.7 million children have blood-lead levels above safe limits, mostly due to exposure to lead hazards, such as lead-based paint, lead in plumbing and drinking water, lead dust, lead in soil, and ceramics.

High blood-lead levels in children have been associated with learning disabilities, growth impairment, permanent hearing and visual impairment, and other brain and nervous system damage. Children six years old and younger are particularly at risk of lead poisoning.



Indiana's New Lead-Based Paint Rule

Indiana's new lead-based paint rule went into effect on February 6, 1999. This new rule works to reduce the threat of lead poisoning in young children.

The new rule requires:

1. **training and licensing of individuals and contractors who investigate and remove lead-based paint;**
2. **approval of lead-based paint training course providers;**
3. **establishment of work practice standards for lead-based paint removal activities;**
4. **protection of the health of the building's occupants, especially children six (6) years of age and younger when contractors conduct lead-based paint activities.**

The establishment of the program further ensures compliance with the United States Environmental Protection Agency's lead-based paint regulations.

Lead Licensing Requirements

The lead-based paint rule (326 IAC 23-2) requires those individuals who engage in Lead-based paint activities **in target housing or child-occupied facilities** to be licensed in the following disciplines: inspector, risk assessor, project designer, supervisor, worker, and contractors. Individuals seeking a license must attend an **Indiana-approved lead-based paint course** and pass the required exam(s) with a score of seventy percent (70%) or better.

For More Information About Lead-Based Paint

Indiana State Dept. of Health

2 North Meridian Street
Indianapolis, IN 46204
(317) 233-1232
<http://www.state.in.us/isdh/programs/lead/index.htm>

Indiana Dept. of Environmental Management Office of Air Management - Asbestos / Lead Section

100 North Senate Avenue
P.O. Box 6015
Indianapolis, IN 46206-6015
(888) 574-8150 or (317) 233-0178
<http://www.state.in.us/idem/oam/compliance/lead/>

Office of Pollution Prevention and Technical Assistance

150 West Market Street, Suite 703
P.O. Box 6015
Indianapolis, IN 46206-6015
(317) 232-8172

U.S. Dept. of Housing and Urban Development

Public Housing Program Center
151 North Delaware Street
Indianapolis, IN 46204
(317) 226-7014
<http://http://www.hud.gov/lea/leaoutre.html>

For copies of the brochure: "Protecting Your Family From Lead in Your Home" visit the HUD web site at: <http://www.hud.gov/lea/leadhelp.html> or call the ISDH at: (317) 233-1232.

Get the Facts on Lead-Based Paint



Who does the new rule affect?

The new rule (326 IAC 23) applies only to Targeted Housing¹ and Child Occupied Facilities². It does not apply to public or commercial buildings (except child occupied facilities built prior to January 1, 1978), superstructures or bridges.

It is not mandatory to remove lead-based paint for any reason. If lead-based paint is removed improperly, it could cause more harm than good.

It is not required that you use a licensed contractor unless you are entering into contract for a project that will permanently eliminate the lead-based paint hazard.

Homeowners can remove lead-based paint or permanently eliminate the lead hazards themselves if they do not have a child six (6) years and younger with an elevated blood lead level living in the home. However, safety precautions should be followed to reduce any lead-based paint exposure.

Renovating or remodeling which is not designed to permanently eliminate the lead-based paint hazards, but are designed to repair, restore, or remodel a structure or home are not subject to the regulation.

¹**Target Housing**- housing built before January 1, 1978. The term does not include the following: housing for the elderly or individuals with disabilities that is not occupied by or expected to be occupied by a child six (6) years of age or younger; or a building without a bedroom.

²**Child-Occupied Facility** - a building or portion of a building built prior to January 1, 1978, and is visited by a child who is six (6) years of age or younger and any of the following conditions exist for the building or portion thereof: the child visits at least two (2) days a week; and each of the visits last at least three (3) hours; the child visits at least six (6) hours a week; the child's combined annual visits during a calendar year total at least sixty (60) hours.